REMARKS/ARGUMENTS

Claims 1-6 and 8-26 remain in the subject application. Claim 7 is being canceled. Claims 1, 12, 24 and 25 are amended, as recited hereinabove.

Claims 1-25 have been rejected under 35 U.S.C. 102(e) as being unpatentable over Kodimer et al. (U.S. Patent No.6,003,078A). Claim 26 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Kodimer et al. in view of Wiesenewsky (US 3,925,764 A). It is believed that independent claims 1, 12, 24 and 25, as amended hereinabove, in addition to claim 26 are indeed patentable over Kodimer et al. It is believed that Kodimer et al. does not disclose detecting a problem with either the hardware, software or the interface line of the network device without interruption to the operation of the network device, as does the claimed invention and certainly, Kodimer et al. is not believed to teach "indicating the status of all of the hardware and software subsystems immediately before the problem occurs". In the Final Office Action, col. 12, lines 59-62 is referenced as support for the position that Kodimer et al. includes a computer register for indicating the status of the hardware and software subsystems immediately before the problem occurs. [See Final Office Action: Page 6]. The cited area is now presented to emphasize the Applicant's argument: Kodimer et al., at col. 12, lines 59-62 states:

> "Alternatively, the condition might consist of an event triggered by exceeding a threshold quantity of usage, such as exceeding a threshold quantity of usage, such as exceeding a threshold number of pages printed without performing scheduled maintenance. Finally, the condition ..." [See Kodimer et al.: Col. 12, lines 59-62.]

It is not at all clear how the above reference anticipates, teaches or discloses, in any manner, the structure and step of "a computer register for indicating the status of all of the hardware and software subsystems immediately before the problem occurs", as recited in the claimed invention. In fact, Kodimer et al. simply does not disclose the foregoing. Thus,

independent claims 1, 12, 24 and 25, as amended hereinabove, are patentable over Kodimer et

al. All claims depending therefrom are also necessarily patentable over Kodimer et al.

Accordingly, reconsideration and allowance of claims 1-6 and 8-26 is hereby

respectfully requested. Applicants submit that the subject application is now in condition for

allowance and an early notice thereof is respectfully requested. Should any further

amendment be required prior to passing the application to issue, the Examiner is respectfully

invited to contact the undersigned by telephone at the number set out below.

Respectfully submitted,
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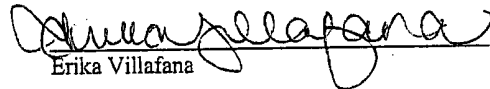
I hereby certify that this correspondence with all attachments is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 11, 2004 by Erika Villafana.

Erika Villafana

11/29/01